## Remarks

Claims 1 and 4-5 have been rejected under 35 USC 102(e) as being anticipated by U.S. patent no. 6,469,982 ("Henrion").

Claims 2, 3, and 8 have been rejected under 35 USC 103(a) as being unpatentable over Henrion.

Claims 6 and 9-30 have been rejected under 35 USC 103(a) as being unpatentable over Henrion in view of U.S. patent no. 5,802,040 ("Park").

Applicant respectfully traverses these rejections because the cited references do not disclosure nor suggest every element of any pending claim, as the following analysis will show.

Independent claims 1, 10, 18, and 24 each recite that a device communicates using a first bandwidth reservation, and after a bit rate event is detected, uses unreserved bandwidth while also requesting a second bandwidth reservation. Requesting the first bandwidth reservation is a new limitation and is supported in Applicant's specification at page 10 line 14. Claims 1, 10, and 18 include requesting both bandwidth reservations, while claim 24 assumes the first already exists and requests the second. It is obvious from the claim language that the claimed devices do not grant bandwidth to other devices, they merely request bandwidth for their own use.

Henrion fails to disclose most of these claimed elements. Henrion does not request bandwidth, but only grants bandwidth to others without them requesting it (col. 3 lines 13-53). Further, Henrion does not detect any bit rate changes and therefore cannot

take any action based on detecting a bit rate change. Contrary to paragraph 3 of the Office action, adjusting administrative weights in Henrion is not the same as detecting a bit rate change. As Henrion describes at col. 3 lines 13-15, Henrion uses "weights" to assign a different fraction of the unreserved bandwidth to different data flows. Applicant's claims do not assign unreserved bandwidth in any manner, much less by allocating fractional portions of it. Any allocation of bandwidth that might occur takes place external to Applicant's claims.

On page 4 of the Office action, Park has been cited as teaching 'a new bandwidth reservation to compensate for the reduced transfer rate'. However, like Henrion, Park does not disclose or suggest a device requesting any bandwidth reservations for itself, but merely a device unilaterally dictating network assignments for other devices. Further, Park does not discuss bit-rate changes in any context. Henrion and Park, separately or in combination, do not disclose or suggest every element of any pending claim.

The remaining pending claims each depends, directly or indirectly, from one of independent claims 1, 10, 18, or 24, and therefore contains the same limitations not disclosed or suggested by the cited references.

Various other changes have been made to several of Applicant's claims, such as:

1. Claims 1 and 10-17 now includes the larger 'network communications device' (the clients of Fig. 1 and throughout the application).

2. The initial and subsequent bandwidth reservations have been broadened to first and second bandwidth reservations, respectively, in several claims.

3.   The claim language has bee rearranged in several places to more clearly and unambiguously define the claimed invention.  These changes represent a clarification but not a change in scope.

## Conclusion

For the foregoing reasons, it is submitted that the application is in condition for allowance, and indication of allowance by the Examiner is respectfully requested. If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible. If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 50-0221.

Respectfully submitted,

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